

PROB 12B
(7/93)

Report Date: October 8, 2010

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

OCT 12 2010

JAMES R. LARSEN, DEPUTY
SPOKANE, WASHINGTON

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Marco Delano Carr

Case Number: 2:06CR02156-001

Name of Sentencing Judicial Officer: The Honorable William Fremming Nielsen

Date of Original Sentence: 4/11/2007

Type of Supervision: Supervised Release

Original Offense: Possession of a Firearm by a
Prohibited Person, 18 U.S.C. § 922(g)(1)

Date Supervision Commenced: 8/24/2009

Original Sentence: Prison - 15 Months; TSR - 36
Months

Date Supervision Expires: 3/23/2012

PETITIONING THE COURT

To modify the conditions of supervision as follows:

19. You shall complete 40 hours of community service work at the rate of not less than 20 hours per month, at a not-for-profit site approved in advance by the supervising officer. The hours are to be completed in full no later than 12/10/2010.

CAUSE

On August 20, 2010, Mr. Carr was cited for third degree driving with license suspended, Yakima Municipal Court case number G00071778, and he failed to report the incident to his supervising probation officer within seventy-two hours. The defendant appeared in court on September 7, 2010, and the case was dismissed based on his willingness to participate in the relicensing program.

On September 6, 2010, Mr. Carr was charged with third degree malicious mischief for allegedly breaking his girlfriend's cell phone, Yakima Municipal Court case number G00074053. He appeared in court for arraignment on September 7, 2010, and was allowed to remain out of custody on his own recognizance. His next hearing is scheduled for October 20, 2010. The defendant advised he intends to contest the charge and have no further contact with the alleged victim.

Mr. Carr has been unemployed for the past couple months and has had a lot of free time on his hands lately. This officer believes the above modified condition would serve as an appropriate sanction, and may assist him in developing contacts within the community for employment purposes. Enclosed is a waiver signed by Mr. Carr agreeing to the proposed modification should Your Honor concur.

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Re: Carr, Marco Delano

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on: October 8, 2010

s/Jose Vargas

Jose Vargas
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☐ The Extension of Supervision as Noted Above
☒ The Modification of Conditions as Noted Above
☐ Other



Signature of Judicial Officer

OCT 12 2010

Date

PROB 49
(3/99)

United States District Court

Eastern District of Washington

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

To modify the conditions of supervision as follows:

19. You shall complete 40 hours of community service work at the rate of not less than 20 hours per month, at a not-for-profit site approved in advance by the supervising officer. The hours are to be completed in full no later than 12/10/2010.

Witness:



Jose Vargas
U.S. Probation Officer

Signed:



Marco Delano Carr
Probationer or Supervised Releasee

October 8, 2010

Date